

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

IN RE THE WENDY’S COMPANY
SHAREHOLDER DERIVATIVE ACTION

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) **C.A. No. 1:16-cv-01153-TSB**
) **Judge Timothy S. Black**
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**ORDER GRANTING DEFENDANTS’ MOTION TO STAY DEADLINE TO RESPOND
TO CONSOLIDATED COMPLAINT PENDING DECISION ON PROPOSED
SETTLEMENT**

This matter having come before the Court on Defendants Nelson Peltz, Peter W. May, Emil J. Brolick, Clive Chajet, Edward P. Garden, Janet Hill, Joseph A. Levato, J. Randolph Lewis, Peter H. Rothschild, David E. Schwab II, Roland C. Smith, Raymond S. Troubh, Jack G. Wasserman, Michelle J. Mathews-Spradlin, Dennis M. Kass, Matthew Peltz, Tod A. Penegor, Robert D. Wright, and nominal Defendant The Wendy’s Company Motion to Stay Deadline to Respond to Consolidated Complaint Pending Decision on Proposed Settlement (the “Motion”), and for good cause shown, the Court GRANTS the Motion (Doc. 54).

The Court hereby ORDERS:

(1) Defendants’ deadline to answer, plead, or otherwise respond to the Consolidated Complaint (Doc. 50) is stayed pending the Court’s decision regarding the proposed settlement; and

(2) in the event that the Motion for Preliminary Approval (Doc. 51) or final approval of the proposed settlement is denied, Defendants’ answer, pleading, or other response to the Consolidated Complaint shall be due 30 days thereafter.

IT IS SO ORDERED.

Date: 3/15/2019

s/ Timothy S. Black
Timothy S. Black
United States District Judge